

President Wilson Backs Bills to Prevent Civil Actions Against Soldiers or Sailors for Collection of Debts or Enforcement of Judgment During Time Men Are Enlisted for Service in War; Military Moratorium

COUNT LUXBURG IS DENOUNCED AS ORIGINATOR OF SHAMEFUL LIE

Ousted Diplomat Circulates Story in Buenos Aires That Note Was Suggested by Argentine Minister.

NEW COMPLICATION ARISES IN BERLIN

Representative of South American Republic Reported to Have Minimized Importance of Crisis.

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Buenos Aires, Sept. 17.—The report from Berlin that Dr. Louis B. Molina, Argentine minister to Germany, had explained to the German government that the handing of passports by Argentina to Count von Luxburg, the German minister, was a personal matter and did not signify a rupture of relations, was classed as a rupture of relations by Foreign Minister Pueyrredon today. It was true that a rupture had not been created by handing Count von Luxburg his passports, the foreign minister stated, but Dr. Molina's instructions did not provide for any explanation of the situation to Germany.

The foreign minister believed today that there will be a rupture of relations with Germany if the latter's explanation of the Luxburg incident is not absolutely satisfactory. Count von Luxburg has notified the foreign office that he plans to leave Argentina by a Dutch steamer sailing September 28, or on a Spanish vessel October 2.

Since being handed his passports Count Luxburg, it was stated, has been circulating the statement that the idea of sinking Argentine ships "without leaving a trace" was suggested to him by the foreign minister of Argentina as a means of preventing complications. This statement was characterized by Foreign Minister Pueyrredon as the "greatest, most shameful, barefaced lie" in his official experience.

GERMANY MUST EXPRESS AMENDS OFFICIALLY

Buenos Aires, Sept. 17.—Dr. Luis B. Molina, Argentine minister to Berlin, today informed the Argentine foreign office by cable that the German government had expressed regrets over the action of Count von Luxburg, German minister to Argentina. Dr. Molina reported that Baron von Dem Busche-Haddenhausen, under secretary of the German foreign office, had informed him that Germany disapproved absolutely of expressions used by Count Luxburg in his dispatches.

The under secretary, who acted for Dr. von Kuhlmann, the German foreign secretary, during his absence in Munich, asked the Argentine minister to request the Argentine government to notify Count von Luxburg that the German government wished him to return immediately to Germany to explain the entire matter personally. Dr. Molina was asked to obtain a safe conduct for Count Luxburg.

Count von Luxburg today announced that he probably would sail on September 28 for Bilbao, Spain, on a Spanish steamer.

Foreign Minister Pueyrredon, after reading Dr. Molina's cablegram, announced that he declined to accept the assurance of Baron von Dem Busche-Haddenhausen as a satisfactory settlement of the Luxburg incident because it was merely the verbal statement of an under secretary. The Argentine foreign office is awaiting a formal note from the German government before closing the incident.

GENERAL ALEXIEFF COMMANDS RUSSIANS

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Washington, Sept. 17.—General Alexieff's appointment to supreme command of the Russian armies will be followed by a general reorganization in which old generals will give place to new ones.

First definite news of the reorganization was received at the Russian embassy today in dispatches from Petrograd. Confidence of the troops is being restored by the removal of the former generals, the dispatches said, and the situation is rapidly clearing.

The Korniloff uprising seems to have been quelled without bloodshed and Russian officials here say that the government now is stronger than ever.

BE WISE AND BE Y'S.

The Y. M. C. A. has about 650 members. That's as if the Albuquerque public schools enrolled, say one-fourth of the children between the ages of 6 and 18. That percentage of illiteracy would be a disgrace to the community.

It is not creditable to Albuquerque that so large a proportion of parents and their young men are indifferent to the vigorous life for which the Y. M. C. A. stands. Let your boy join the "Y" and watch him grow in the ways of men.

THE WEATHER

FORECAST
Denver, Colo., Sept. 17.—For New Mexico: Tuesday showers; Wednesday generally fair; not much change in temperature.

LOCAL REPORT.

A summary of local weather conditions for the twenty-four hours ended at 6 p. m. yesterday follows: Maximum temperature, 75 degrees; minimum, 49; range, 26; temperature at 6 p. m., 68; southwest wind; partly cloudy.

ARSON PLANNED TO AID BANK ROBBERS

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Abilene, Tex., Sept. 17.—Testifying at the trial today of fifty members of the Farmers and Laborers' Protective Association of America, charged with conspiracy against the government, J. A. Hollis of Delk, said R. W. Mills of Abilene, one of the defendants, speaking at a meeting of the Delk local, May 8, last, told how members could set fire to residences on outskirts of a town and then rob banks and supply houses while the populace was fighting the fires. In this way Mills said funds and munitions could be obtained in great quantities.

Hollis testified.

At this meeting Hollis said Lon Hunter, another defendant, outlined a plan which he declared would overthrow the government in three minutes.

The plan included "blowing hell out of the railroads and burning bridges," the witness testified Hunter said.

R. T. Lewis, another witness, on cross-examination declared he was elected as delegate to a convention of the L. P. A., held in Cisco, as an advocate of opposing the draft by petitions to congress.

COUNCIL TO PROVIDE MOVIES FOR SOLDIERS

(BY MORNING JOURNAL SPECIAL LEASED WIRE) New York, Sept. 17.—Seventy-five cinematograph machines to supply "movies" for United States soldiers in France, now are in that country or soon will be sent, according to announcement made here tonight by the national war council of the Young Men's Christian association which Major General Pershing has authorized to take over the enterprise, including educational as well as recreational films. Among association workers who have just sailed to be with the American expeditionary forces are James A. Malsmith of Lawrence, Kans., inventor of the game of basketball, and H. M. Duffins, Mesquite, Tex.

Berlin Newspapers Suppressed.

Copenhagen, Sept. 16.—Publication of three Berlin newspapers, the Tages Zeitung, the Borsen Zeitung and the Freisinnige Zeitung, has been stopped by the military censor.

Morning Journal's Tobacco Fund for American Soldiers on French Front Is Popular

The Morning Journal's fund for tobacco for American soldiers in France had reached \$45.50 by last night. This will buy popular brands of smoking tobacco, plug tobacco and cigarettes that would cost twice that sum at retail price, tobacco manufacturers having cut prices 50 per cent for Uncle Sam's fighting men in foreign service. Contributors to the fund, whose contributions had been received by last night, are:

E. W. Fee, 212 West Lead Avenue	\$10.00
Robert C. Rosenwald	10.00
D. M. Rosenwald	5.00
W. R. Whitney, 318 West Central	2.00
A. S. Daumer, 211-12 West Central	1.00
L. M. Fee, 415 South Fifth	1.00
Kirk B. Fisher, 1409 West Roma	1.00
D. F. Gill	1.00
M. L. Fox, 401 North Thirteenth	1.00
F. A. Nohl, 217 North Walter	1.00
B. A. Howell, Continental Oil company	1.00
Henry Lockhart, Bland, N. M.	1.00
Mrs. Annie Lockhart-Palmer, Bland, N. M.	1.00
S. C. Howell, Willard, N. M.	1.00
S. A. Jones, Clovis, N. M.	1.00
L. W. Hicks, Belen, N. M.	3.00
G. N. Boye, Flagstaff, Ariz.	1.00
Dr. S. Locke, Springer, N. M.	2.00
Fred H. Kent, 923 West Copper Avenue	5.00

The advertising department of the Morning Journal will send the above contributions to its New York representative, Ralph R. Mulligan, with instructions to distribute same among the several big tobacco and cigarette manufacturers, following out the instructions of the local contributors.

FIGHTING GOES ON CONTINUOUSLY; NO SPECTACULAR BATTLES OCCUR

General Cadorna Repulses Four Austro-Hungarian Attacks Northeast of Gorizia, After Severe Struggle.

BRITISH RAIDERS ENTER GERMAN TRENCH

Berlin Sends Apologies Both to Sweden and Argentina, Regretting Wording of Count Luxburg's Note.

(BY MORNING JOURNAL SPECIAL LEASED WIRE) No spectacular operation on a large scale is reported in official communications from the belligerent capitals. On the Bainsizza plateau, northeast of Gorizia, the Italians have repulsed successfully four determined attacks made by the Austro-Hungarians. In repelling the enemy efforts General Cadorna's men captured seventy-three prisoners. Increased artillery activity is reported from the Carnia sector of the Austro-Italian front which lies northwest of the Isonzo fighting zone.

Attrition Campaign Goes On.

Field Marshal Haig's campaign of attrition during the breathing spell between major operations continues. In raids at three points between Arras and St. Quentin the British entered the German trenches, inflicted casualties and destroyed trench mortar emplacements and ammunition dumps.

The artillery arm is active all along the western front and in Flanders, Berlin reports, the drumfire has increased to one of violent intensity.

French positions in the forest of Apremont have been attacked by the German minister to Argentina, a few elements, from which, however, they were quickly thrown out by the defenders.

Berlin Apologizes.

Expressions of regret over the telegram sent by Count von Luxburg, the German minister to Argentina, to Berlin through the Swedish minister at Buenos Aires, have been made to both Sweden and Argentina by the German government.

The under secretary of the Berlin foreign office has informed the Argentine minister to Berlin that Germany regrets the actions of Count von Luxburg and disapproves entirely of the expressions used by him in the telegram made public recently by the state department at Washington. Germany asks for a safe conduct for Count von Luxburg in order that he may return to Berlin to explain personally.

Argentina, it is announced by its foreign minister, declines to accept the verbal assurances of an under secretary of the German foreign office and awaits the arrival of a formal note from Berlin before taking additional steps.

To Sweden Germany has sent a note, unofficial reports say, regretting highly the disagreeable issues raised by the Luxburg telegram and thanking the Swedish government for transmitting the telegrams.

EVIDENCE POINTS TO PREACHER AS PERPETRATOR OF AXE MURDERS

Many Witnesses Testify Regarding Incriminating Admissions Made by Rev. Lynn G. J. Kelly After Killing.

BLOODY SHIRT SENT TO COUNCIL BLUFFS

Confession Made While in Jail at Sioux Falls, South Dakota, Told of by Three Men Called by State.

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Road Oak, Ia., Sept. 17.—Nineteen witnesses testified today in the trial of the Rev. Lynn G. J. Kelly, charged with murdering one of the eight victims of the Villisca axe slayings. All were state's witnesses and were called in an effort to establish:

That Kelly was in Omaha June 12, 1912, two days after the murders.

That an unmarked package of laundry containing a shirt and underclothing was forwarded from Council Bluffs, Ia., to him at Macedonia, Ia.

That Kelly had admitted sending a stained shirt to a Council Bluffs laundry.

F. A. Faville, of counsel for the state, said tonight that the thirty-nine witnesses for the state thus far examined, represented more than half the total number that would call. He said the state would conclude its presentation of evidence Wednesday or Thursday morning.

Told of murder.

W. O. McQueen, jailer at Sioux Falls in 1914; Julius Wald, a deputy sheriff there, and James Tyler, an inmate of the jail that night, testified that Kelly had admitted the murders, varying this with the assertion that he entered the house after the eight persons were dead.

W. C. Miller, a druggist at Macedonia, where Kelly had his home the summer the murders were committed, testified in reference to the laundry incident.

Miller has an agency for a Council Bluffs laundry and the Saturday after the murders a package with no identification slip was among those received from the laundry. He opened it to ascertain its owner and delivered it to Kelly. Miller said he had not sent clothes belonging to Kelly to the laundry that week.

Postcard received by Miller and bearing the name of Kelly as the sender was admitted as evidence. It was postmarked in Omaha at 8:30 p. m., June 12, 1912, and referred to business detaining Kelly in Omaha for another day.

The state contends that within a day or so after the murders a bloody shirt, worn by Kelly, and a bloody shirt, were left at a Council Bluffs laundry by Kelly. Dr. and Mrs. C. W. Spaulding of Carroll, Ia., testified that Kelly, in a conversation with them in 1913, had said he had sent a stained shirt to a Council Bluffs laundry and that the girl who received it had thought the stain was from blood and had "caused him trouble."

Another witness testified he had said he sent a shirt to the laundry soiled from nose bleed and still another quoted Kelly as saying he had "got blood on his shirt when he cut himself while shaving."

Talked of Murder.

Doctors H. H. Schuttz and S. K. Strate, of Sutton, Neb., told of conversations they had had with Kelly while he lived in that city. The former said Kelly told him he was suspected of the murders and the latter quoted Kelly saying he "couldn't have done that murder; that axe hit the ceiling; I couldn't hit the ceiling, could I?"

The Rev. O. C. Carden of Shelby, Ia., who met Kelly in a theological seminary in Omaha in 1902, told of a conversation on a train with Kelly in which the latter said: "He couldn't have done that murder; that axe hit the ceiling; I couldn't hit the ceiling, could I?"

At the instance of the defense, the court has issued an order directing a Miss Longman to appear with stenographic account of that part of Kelly's alleged confession which she is said to have copied in the jail at Logan.

FARMINGTON APPLES CANNED IN DURANGO

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Durango, Colo., Sept. 17.—Approximately 200 automobilists who left here yesterday for Farmington, N. M., returned today with their cars loaded with apples and peaches from the orchards of San Juan county, N. M., which Durango housewives will use as part of an effort to save the fruit crop of the district.

VICE PRESIDENT URGES PATRIOTS TO BE ACTIVE IN SERVING NATION

Marshall Delivers Notable Address to Scottish Rite Masons at Golden Jubilee Celebration.

MAD MONARCH WANTS TO RULE MANKIND

Liberty Doesn't Mean License, Such as I. W. W. Would Have; Cannot Make World Safe for Murder.

(BY MORNING JOURNAL SPECIAL LEASED WIRE) New York, Sept. 17.—Vice President Marshall, speaking here tonight at a golden jubilee celebration of Scottish Rite Masons, urged a deeper sense of American obligation in the war. In the belief that the United States never could become involved in European politics, he said, the question of dual citizenship was not raised until the war in spite of the great tide of immigration.

"No one ever doubted the loyalty to the flag of all these people, whether foreign born or the sons of foreign born," said the vice president. "Our isolation made it immaterial to us whether there was any difference between loyalty and patriotism and we did not face the question until it became a matter of life and death."

Action of Mad Monarch.

"The years drew us closer and closer to Europe in the ties of commerce and in the friendly relations of travel. More and more we became a part of the world; and suddenly a mad monarch, drunk with military power and crazed with the idea that he was divinely ordained to rule the world, plunged Europe into a war so awful that all wars which had preceded it passed into insignificance."

"Still we stood by our ancient ideas of isolation, but in two years and a half we discovered that there was a vast difference between loyalty and patriotism."

Blood Sympathy Shown.

"The hearts of men flamed up very largely in response to the blood that flowed in their veins. Patriotism showed itself as dependent, not upon place of residence nor political ideas, but rather upon heredity. Patience at last was exhausted and there was nothing for a self-respecting people to do, if their republic was to be true to its traditions, save engage in the war on the side of democracy."

TURKS BOMBARDING BRITISH AT GAZA

(BY MORNING JOURNAL SPECIAL LEASED WIRE) London, Sept. 17.—A Turkish official communication received today says:

"There has been a strong artillery bombardment of the British positions before Gaza (on the Palestine coast)."

Killing Germans Goes on Without Ceasing Day or Night in Front of General Haig's Lines in France

(By Morning Journal Special Leased Wire.) With the British Armies in France and Belgium, Sept. 17 (by the Associated Press).—There must always be periods of "comparative" quiet, when big spectacular offensives are lacking on the great fighting fronts. The recent days have constituted one of these periods along the British front in the western theatre and to the outside world, reading the commander-in-chief's laconic "there is nothing of importance to report," or a brief account of seemingly inconsequential raids, it may appear that hostilities virtually have ceased.

War Is Incessant.

But this conclusion is far from right, for the grim business of war continues perpetually. Hourly, the big British guns hurl their thousands of tons of metal, carrying death and destruction into the German defenses; day and night great squadrons of aviators guide their machines over the German lines and dump their cargoes of high explosives on important positions and continually small bodies of British infantry are reaching out into the German trenches and snatching back prisoners after playing havoc with bombs among the dugouts and mortar emplacements.

Advantage With Allies.

Of course there is retaliation by the enemy, but the advantage rests with the entente allies in this constant hammering process. It is the steady dropping of water which is wearing away the stone.

The terrible toll of death being exacted from the enemy ranks by the artillery and the continual drainage of their war supplies by the destruction caused by shells and bombs are having their effect. The German wall of defense is still strong, but it is weaker than it was, and soon or later must crumble, if the allied method of wearing down is continued. It needs

MORATORIUM FOR ENLISTED MEN TO BE PUT THROUGH BY PRESIDENT

Two Bills Drafted by General Crowder Would Postpone Enforcement of All Debts While Men Are Absent.

SOLDIERS AND SEAMEN TO BE GIVEN PROTECTION

Judgments Not to Be Allowed Against Them During Enlistments; If Taken Already Not to Be Enforced.

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Washington, Sept. 17.—Legislation to protect the after and property rights of soldiers, in effect a moratorium for the duration of the war in behalf of men serving their country, may be placed upon the administration's program for this session of congress as a necessary element for the raising of a citizen army.

"The soldiers and sailors' civil rights bill," to carry out this purpose, has been introduced in both houses, having been framed in the office of Judge Advocate General Crowder. Secretary Baker, it was learned today, has under consideration recommendations that the entire weight of administration influence be brought to bear to obtain the early enactment.

Would Prevent Injustice.

To save soldiers and sailors from legal injustices during their absence from home the measure would enjoin the carrying out of certain civil court actions until the close of the war and establish as a legal excuse for failure to carry out certain contracts the fact that a man is in the military service.

It is proposed that creditors' suits against officers or men be held up and judgments by default denied, the framers of the bill recognizing that a man in the army or navy would have no opportunity to make his defense in person or to arrange for his proper hearing through counsel.

Would Preserve Property.

If such a judgment rested against a man at the time of his enlistment the bill would prevent its execution through sale of his property during his absence. It would set aside the statute of limitations so that a debt owed to a soldier or sailor would not be lost in his absence; prevent the eviction of his family while he was away if they failed to pay rent; protect his equity in any real estate or other purchase contract in which he might have been engaged; and prevent him from being liable for the ordinary results of defaulted payments on business mortgages; insure any rights he might have to public lands, although his service at the front had prevented him from completing legal acquisition of the property.

Protects Life Insurance.

Another element of protection the bill would accord the fighting man would be as to his life insurance, which could not lapse through failure to make any payment. His property also would be protected from sale for taxes and in every other way which the legal experts of the war department have been able to devise all civil rights and interests of men in the military service would be safeguarded.

BELGIAN DEATH RATE IS AGAIN INCREASING

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Harve, France, Sept. 17.—The heavy increase in the death rate in the occupied territory of Belgium and the corresponding decrease in the birth rate was well illustrated in vital statistics of the Brussels district recently made public by Belgian authorities. For the first six months of 1913 in this district, there were 6,417 births, an average of 17 per thousand inhabitants, and 4,926 deaths, an average of 13.7 per thousand inhabitants.

In the first six months of 1915, there were 5,346 births, an average of 14.3, and 5,218 deaths, an average of 14.

In the corresponding period in 1917, there were 3,311 births, an average of 8.5, and 7,272 deaths, an average of 19.3.

GENERAL RESIGNS AS HETMAN OF COSSACKS

(BY MORNING JOURNAL SPECIAL LEASED WIRE) Petrograd, Sept. 17.—General Kaledines has resigned as hetman of the Don Cossacks.

General Kaledines' arrest has been sought by the provisional government because of his adherence to the Korniloff revolt and instructions to that effect were sent to the grand council of the Don Cossacks, sitting at Novo Tcherkisk. The council, however, replied that it was impossible to obey the order because of the necessity of General Kaledines' attendance at the military conferences of the Cossacks in his official capacity as hetman.

Raiders Are Successful.

Last night's infantry raids are examples of the work being done, much of which is never published to the outside world. English and Scottish regiments about midnight conducted three successful raids. East of Gavrelle several prisoners were taken and a large number of the enemy killed. Five big dugouts were bombed to pieces and two saps destroyed. A similar success was achieved south of Arras, several dugouts being demolished and a number of trench mortar emplacements wrecked, besides other damage done.

The British air service still maintains supremacy and the big air raiding machines have been doing vast damage. One of the spectacular incidents occurred yesterday when a British plane dispersed 2,000 enemy infantry by turning its machine gun on the men along one of the highways.